

Minn., alleging that it had been shipped in interstate commerce on or about February 27, 1936, by Pacific American Fisheries, Inc., from South Bellingham, Wash., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled: (Can) "Table Talk Alaska Red Sockeye Salmon * * * Packed For Rust Parker Co. Duluth, Minn."

It was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

On December 3, 1936, Pacific American Fisheries, Inc., having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond subject to segregation and destruction of the decomposed portion and re cooking and resealing the remainder and relabeling it "Reprocessed."

M. L. WILSON, *Acting Secretary of Agriculture.*

27163. Adulteration of dressed poultry. U. S. v. Charles Vernon Rosenberger and Edward J. Belgarde (Independence Produce Co.). Pleas of guilty. Fines, \$200 and costs. (F. & D. no. 37982. Sample nos. 48149-B, 48150-B, 48201-B.)

This case involved dressed poultry in samples of which were found evidence of disease, discoloration, fractured bones, and other conditions which rendered the product unfit for food.

On April 14, 1937, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Charles Vernon Rosenberger and Edward J. Belgarde, trading as Independence Produce Co., at Independence, Iowa, alleging shipment by said defendants in violation of the Food and Drugs Act on or about December 13, 1935, from the State of Iowa into the State of Illinois of a quantity of dressed poultry that was adulterated. A portion of the article was labeled in part: (Tag) "From Independence Produce Company * * * Independence, Iowa."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance; and in that it was in whole or in part the product of diseased animals.

On April 28, 1937, the defendants entered pleas of guilty and the court imposed fines of \$200 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

27164. Adulteration of tomato puree. U. S. v. Ross W. Morris. Plea of guilty. Fine, \$10 and costs. (F. & D. no. 37999. Sample nos. 55410-B, 55411-B.)

This case involved tomato puree that contained excessive mold.

On March 12, 1937, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Ross W. Morris, of Indianapolis, Ind., at the time of the violation charged in the information, secretary of the Warren Packing Co., Inc., a corporation with its principal place of business at Warren, Ind., alleging shipment by the Warren Packing Co., Inc., on or about September 30, 1935, from Warren, Ind., to Cleveland, Ohio; and thence on or about December 2 and 9, 1935, to Chicago, Ill., of a quantity of tomato puree that was adulterated.

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed vegetable substance.

On April 23, 1937, the defendant entered a plea of guilty and the court imposed a fine of \$10 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

27165. Adulteration and misbranding of preserves. U. S. v. Goodwin Preserving Co. Plea of guilty. Fine, \$270 and costs. (F. & D. no. 38000. Sample nos. 29895-B, 29896-B, 49254-B, 49256-B, 49258-B, 49259-B, 56159-B, 56160-B, 56162-B.)

These products contained less fruit than preserves should contain. All contained added pectin and most of them contained excessive sugar, added acid, and excessive moisture.

On May 21, 1936, the United States attorney for the Western District of Kentucky, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Goodwin Preserving Co., a corporation, Louisville, Ky., alleging shipment by said company in violation of the Food and Drugs Act between the dates of September 7 and December 3, 1935, from the State of Kentucky into the States of Alabama, Oklahoma, and Ohio of

quantities of preserves that were adulterated and misbranded. The articles were labeled variously in part: "Alabama Maid Brand Pure Apple Peach [or "Strawberry"] Preserves * * * Distributed by Schloss & Kahn Grocery Co., Montgomery, Alabama"; "Pure Peach [or "Damson Plum", "Black Raspberry", or "Blackberry"] Preserves, Goodwin Preserving Co., Incorporated, Louisville, Ky."; "Tip-Toe Brand * * * Blackberry Preserves, * * * Distributed by the Janszen Company, Cincinnati, Ohio"; "Dot Dot's Good * * * Pure Damson Plum [or "Peach"] Preserves, * * * Distributed by Janszen Co., Cincinnati, Ohio."

The preserves were alleged to be adulterated in that excess sugar, acid, and pectin in the case of the apple and peach; sugar, acid, pectin, and water in the case of the strawberry, black raspberry, and portions of the damson plum, peach, and blackberry; and pectin, acid, and water in the case of portions of the blackberry, damson plum, and peach had been mixed and packed with the articles so as to reduce and lower and injuriously affect their quality. The articles were alleged to be adulterated further in that mixtures containing less fruit, and in most instances more sugar, than preserves should contain, had been substituted for pure preserves, which the articles purported to be and in that they had been mixed in a manner whereby their inferiority to preserves had been concealed.

They were alleged to be misbranded in that the statements, "Pure Apple Peach Preserves", "Pure Apple Strawberry Preserves", "Pure Peach Preserves", "Pure Damson Plum Preserves", "Pure Black Raspberry Preserves", "Pure Blackberry Preserves", "Blackberry Preserves", "Damson Plum Preserves", "Peach Preserves", borne on the labels affixed to the cans and jars containing the articles, were false and misleading and in that the said statements were borne on the cans and jars so as to deceive and mislead the purchaser since they represented that the articles consisted of the above-named preserves; whereas they consisted of substances resembling preserves but which contained less fruit than preserves should contain, all lots with the exception of the apple peach containing water which should have been removed by boiling, the deficiency in fruit having been concealed by added pectin, and in most lots, excessive sugar and added acid. The articles were alleged to be misbranded further in that they consisted of mixtures containing less fruit than preserves should contain; were prepared in imitation of pure preserves and were offered for sale and sold under the distinctive names of other articles, namely, preserves.

On March 17, 1937, a plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$270 and costs.

M. L. WILSON, *Acting Secretary of Agriculture.*

27166. Adulteration of pickles. U. S. v. 7 Barrels of Pickles. Default decree of condemnation and destruction. (F. & D. no. 38302. Sample no. 5268-C.)

This product was filthy and decomposed.

On September 17, 1936, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of seven barrels of pickles at Waterloo, Iowa, alleging that they had been shipped in interstate commerce on or about July 15, 1936, by the Thies Pickle Co., from Pepin, Wis., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy and decomposed vegetable substance.

On December 3, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27167. Adulteration of canned salmon. U. S. v. 2,382 Cartons and 6,236 Cases of Canned Salmon. Portion of product exonerated and ordered released. Remainder condemned and ordered released under bond. (F. & D. nos. 38485, 38516. Sample nos. 23702-C, 23711-C, 29229-C, 29240-C.)

This product was in part decomposed.

On November 4 and November 9, 1936, the United States attorney for the Western District of Washington, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 8,618 cases and cartons of canned salmon at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about August 4 and